



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/647,755

08/25/2003

Hervon Porter

KYE-001

2783

36822 7590 01/11/2008

GORDON & JACOBSON, P.C.

60 LONG RIDGE ROAD

SUITE 407

STAMFORD, CT 06902

EXAMINER

MADAMBA, CLIFFORD B

ART UNIT

PAPER NUMBER

3692

MAIL DATE

DELIVERY MODE

01/11/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/647,755

Applicant(s)

PORTER, HERVON

Examiner

Clifford Madamba

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-9,11-17,19-20 and 22-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,8,9,11-17,19,20 and 22-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

This action is in reply to the remarks and amendment for Application 11/076,313 filed on July 14, 2005.

Claims 1, 8-9, 11, 15, 19-20 and 22 have been amended.

Claims 7, 10, 18 and 21 have been cancelled.

Claims 26-29 have been added.

Claims 1-6, 8-9, 11-17, 19-20 and 22-29 are currently pending and have been examined.

Response to Arguments

The applicant's arguments filed on November 1, 2007 have been considered but are not persuasive. The applicant's arguments will be addressed in sequential order as they were set forth in the "Remarks" section.

With regard to the use of Ludwig et al. as prior art reference, the applicant argues that the invoices are not created on a networked system but are created by an external biller and then loaded into a database. The examiner respectfully disagrees and points out the system taught by Ludwig is designed specifically as a network-based system (see at least paragraph 1: "The present invention relates to a financial transaction system and method, and more particularly, to a network-based system and method for billing and payment."). Where the invoices may have been initially created doesn't prevent the invention as taught by Ludwig from eventually being utilized or operated on a networked system.

The applicant further argues that the system taught by Ludwig is complex and difficult to maintain. The examiner points out that such arguments are relative and limited to the applicant's own point of view as the system taught by Ludwig discloses its own merits (see at least paragraph 2: "Moreover, such a transaction system may seamlessly handle transactions from virtually any entity with Internet access, regardless of the nature of the business, geographic location, size, or trading currency, even those entities for which the costs of traditional invoicing, presentment and payment have traditionally been high.").

With regard to independent claims 1 and 15 and corresponding dependent claims, the applicant argues that the system taught by Ludwig does not teach or suggest user interaction that occurs in real-time over a network in order to enter, create, maintain, and store billing information and related invoices. The examiner respectfully disagrees and points out that Ludwig teaches the act of user interaction occurring in real-time over a network (see at least paragraph 24: "Alternatively, permutations of each of the biller system 12, payer system 14, business service provider system 16 and ASP 18 (payment processing system) may be commonly controlled and/or located at a single entity."; paragraph 25: "The biller system 12 and payer system 14 may interface with the ASP 18 in real time via a web browser or other TCP/IP compliant software."; paragraph 37: "In operation, the server may be operating with a plurality of remote clients simultaneously and/or utilizing a multi-tasking based operating environment.").

With regard to independent claim 26 and dependent claims 11 and 22, the applicant argues that the Ensel reference does not teach or suggest the feature "wherein said first application component enables access to particular invoice information by at least one authenticated second-entity-class user only after posting of said particular invoice information, wherein the posting of said particular invoice information is accomplished by real-time interaction over the network with an authenticated first-entity-class user." The examiner respectfully disagrees and points out that Ensel teaches a billing system which includes both the posting and accessing of invoice or billing information conducted through real-time interaction over a networked system (see at least column 13, lines 28-39: "With

respect to Summary 210 and E-Bill 215 data files, BAP system 200 is capable of performing the following functions: storing a predetermined amount (e.g., thirteen months) of bill data history for each biller 5...extracting, reformatting, and transmitting billing data files; performing custom analysis of bill data and producing reports..."; lines 46-47: "...online processing of responses from customers..."; lines 53-57: "How the electronic bill is formulated (in an email, as an HTML page...) and where it is delivered (to an email address, to a presentment site...) will be governed by the customers' 80 enrollment data contained in database 205."; column 14, lines 30-33: "In presenting E-Bills via email, the BAP 200 is capable of delivering secure email notices of bill availability and providing a hotlink to an appropriate web site, or the BAP can deliver secure bills directly via email.").

With regard to independent claim 28 and dependent claims 8 and 19, the applicant argues that the Ensel reference does not teach or suggest user interaction that occurs in real-time over a network for finalization of particular billing information and subsequent access control. The examiner respectfully disagrees and points out that Ensel teaches user interaction occurring in real-time over a network regarding billing finalization (see at least column 15, lines 12-26: The BAP 200 provides online access for customer service representatives (either from IIP 20, a biller 5, or a biller's other agent) in order to: view customer service inquiries; view a customer's bill; view and update enrollment data, view payment data; and create responses...(and) spot check bills prior to publication."). Subsequent access control is inherent in the process in order for a customer-user to be able to respond in an appropriate manner to billing information sent.

With regard to dependent claims 9, 20 and 29, the applicant argues that the Ludwig reference describes approval of an invoice (paragraph 130, lines 1-4) rather than approval of billing information that makes up the invoice as required by the above claims. The examiner respectfully disagrees and points out that information pertaining to billing matters are what forms the basis for invoices and that there is no significant difference between approval of an invoice and approval of billing information that makes up the invoice.

The Office has thus given consideration to the remarks and amendments made to the pending set of claims, but are now considered moot in light of the grounds of rejection, provided below, for the current listing of claims.

Claim Rejections – 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-6, 12, 15-17 and 23 are rejected under 35 U.S.C. 102(a) as being anticipated by Ludwig et al, U.S. Pub 2003/0004874 ("Ludwig").

With regard to claim 1 (currently amended): Ludwig teaches a system for *electronic presentment of bills and invoices related to goods and/or services provided by a first entity to a second entity comprising:*

- *first means for authenticating at least one first-entity-class user that is associated with at least one first entity (see at least paragraph 31, lines 4-8);*
- *second means for authenticating at least one second-entity-class user that is associated with at least one second entity (see at least paragraph 31, lines 4-8);*
- *an application server (see at least paragraph 5, lines 5-10; paragraph 38, lines 1-8); including*

- *a first application component, operably coupled to said first means, that interacts in real-time over a network with an authenticated first-entity-class user to enter, create, maintain, and store billing information pertaining to at least one second entity and to create, maintain and store invoices related to said billing information and pertaining to said at least one second entity (see at least 106, lines 1-12); and*
- *a second application component, operably coupled to said second means, that interacts in real-time over the network with an authenticated second-entity-class user to access portions of said billing information and related invoices pertaining to the authenticated second-entity-class user (see at least paragraph 109, lines 7-19, 23-24).*

With regard to claim 2 (original): Ludwig teaches the limitation of claim 1 as described above. Ludwig further teaches the limitation wherein *said first application component and said second application component operate in conjunction with data security logic to selectively control second-entity-class user access to portions of said billing information and related invoices that pertain to an authenticated second-entity-class user* (see at least paragraph 59, lines 1-5).

With regard to claim 3 (original): Ludwig teaches the limitation of claim 1 as described above. Ludwig further teaches the limitation wherein *said first application component and said second application component operate in conjunction with data security logic to selectively control first-entity-class user access to portions of said billing information and related invoices that pertain to an authenticated first-entity-class user* (see at least paragraph 59, lines 1-5).

With regard to claim 4 (original): Ludwig teaches the limitation of claim 1 as described above. Ludwig further teaches the limitation wherein *said first means and said second means comprise a web server that operates in a demilitarized zone and that communicates with at least one component of said application server via secure communications through a firewall routing device* (see at least paragraph 29, lines 1-4; paragraph 30, lines 1-5).

With regard to claim 5 (original): Ludwig teaches the limitation of claim 1 as described above. Ludwig further teaches the limitation wherein *first-entity-class users are logically partitioned into at least two different types each performing functions as part of an invoicing process, and said first application component includes logic modules corresponding to the different types of first-entity-class users, said logic modules interacting with corresponding types of browser-based first-entity-class users to perform said functions as part of the invoicing process* (see at least paragraph 57, lines 1-5).

With regard to claim 6 (original): Ludwig teaches the limitation of claim 1 as described above. Ludwig further teaches the limitation wherein *second-entity-class users are logically partitioned into at least two different types each performing functions as part of an invoicing process, and said second application component includes logic modules corresponding to the different types of second-entity-class users, said logic modules interacting with corresponding types of browser-based second-entity-class users to perform said functions as part of the invoicing process* (see at least paragraph 57, lines 1-5).

With regard to claim 12 (original): Ludwig teaches the limitation of claim 1 as described above. Ludwig further teaches the limitation wherein *at least one of said first application component and said second application component cooperate with messaging logic to provide messages to authenticated users of the system regarding status of billing information and invoice information maintained by the system* (see at least paragraph 124, lines 1-4).

With regard to claim 15 (currently amended): Ludwig teaches *a method for electronic presentment of bills and invoices related to goods and/or services provided by at least first entity to at least one second entity comprising:*

- *authenticating at least one first-entity-class user that is associated with at least one first entity* (see at least paragraph 31, lines 4-8);

- *interacting in real-time over a network with an authenticated first-entity-class user to enter, create, maintain, and store in a database billing information pertaining to at least one second entity and to create, maintain and store in said database invoices related to said billing information and pertaining to said at least one second entity (see at least 106, lines 1-12);*
- *authenticating at least one second-entity-class user that is associated with a second entity (see at least paragraph 31, lines 4-8); and,*
- *interacting in real-time over the network with an authenticated second-entity-class user to access from said database portions of said billing information and related invoices pertaining to the authenticated second-entity-class user (see at least paragraph 109, lines 7-19, 23-24).*

With regard to claim 16 (original): Ludwig teaches the limitation of claim 15 as described above. Ludwig further teaches the limitation further comprising *selectively controlling second-entity-class user access to portions of said billing information and related invoices that pertain to an authenticated second-entity-class user* (see at least paragraph 59, lines 1-5).

With regard to claim 17 (original): Ludwig teaches the limitation of claim 15 as described above. Ludwig further teaches the limitation wherein *selectively controlling first-entity-class user access to portions of said billing information and related invoices that pertain to an authenticated first-entity-class user* (see at least paragraph 59, lines 1-5).

With regard to claim 23 (original): Ludwig teaches the limitation of claim 15 as described above. Ludwig further teaches the method further comprising *automatically generating messages to authenticated users of the system regarding status of billing information and invoice information maintained by the system* (see at least paragraph 124, lines 1-4).

Claim Rejections – 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office Action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-9, 11, 13-14, 19-20, 22, 24-26, and 28-29 are rejected under U.S.C. 103(a) as being unpatentable over Ludwig et al., U.S. Pub 2003/0004874 ("Ludwig"), in view of Ensel et al., U.S. 6,493,685 ("Ensel").

With regard to claim 8 (currently amended): Ludwig teaches the limitation of claim 1 as described above. Ludwig doesn't explicitly teach the limitation *wherein said first application component enables access to particular billing information by at least one authenticated second-entity-class user in response to finalization of said particular billing information, wherein the finalization of said particular billing information is accomplished by real-time interaction over the network with an authenticated first-entity-class user*. Ensel, however, makes this teaching (see at least column 13, lines 28-39; lines 46-47; lines 53-57; column 14, lines 30-33). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Ensel with those of Ludwig as discussed above for the motivation of carrying out a process for creating an electronic bill or invoice (Ensel, column 13, line 1-2).

With regard to claim 9 (currently amended): Ludwig in view of Ensel teaches the limitation of claim 8 as described above. Ludwig further teaches the system *wherein said particular billing information cannot be added to an invoice until approved by an authenticated second-entity-class user, wherein the approval of said particular billing information is accomplished by real-time interaction over the network with the authenticated second-entity-class user* (see at least paragraph 130, lines 1-4).

With regard to claim 11 (currently amended), Ludwig teaches the limitation of claim 1 as described above. Ludwig doesn't explicitly teach the limitation *wherein said first application component enables access to particular invoice information by at least one authenticated second-entity-class user only after posting of said particular invoice information, wherein the posting of said particular invoice information is accomplished by real-time interaction over the network with an authenticated first-entity-class user. Ensel, however, makes this teaching* (see at least column 13, lines 28-39; lines 46-47; lines 53-57; column 14, lines 30-33). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Ensel with those of Ludwig as discussed above for the motivation of carrying out a process for creating an electronic bill or invoice (Ensel, column 13, line 1-2).

With regard to claim 13 (original): Ludwig teaches the limitation of claim 1 as described above. Ludwig doesn't explicitly teach the system wherein *at least one of said first application component and said second application component interact in real-time over the network with authenticated users to define at least one project, wherein each given project pertains to a specific second entity and specifies rules and conditions associated with an invoicing process carried out with respect to given project. Ensel, however, makes this teaching* (see at least column 10, lines 21-49). It would have been obvious to one of ordinary skill in the art at the time the invention to combine the teaching of Ensel with those of Ludwig as discussed above for the motivation of customizing invoices presented to its customers (Ensel, column 11, lines 2-5).

With regard to claim 14 (original): Ludwig teaches the limitation of claim 13 as described above.

Ludwig doesn't explicitly teach the system wherein *each given project includes at least one of a name, time period for the project, information pertaining to the recurring nature of the time period, information regarding time-based billing for the project, and an indication that billing entries associated with the given project can be added to an invoice without prior approval by an authenticated second-entity-class user*. Ensel, however, makes this teaching (see at least column 10, lines 21-49). It would have been obvious to one of ordinary skill in the art at the time the invention to combine the teaching of Ensel with those of Ludwig as discussed above for the motivation of customizing invoices presented to its customers (Ensel, column 11, lines 2-5).

With regard to claim 19 (currently amended): Ludwig teaches the limitation of claim 18 as described above. Ludwig doesn't explicitly teach the limitation further comprising *enabling access to particular billing information by at least one authenticated second-entity-class user in response to finalization of said particular billing information, wherein the finalization of said particular billing information is accomplished by real-time interaction over the network with an authenticated first-entity-class user*. Ensel, however, makes this teaching (see at least column 15, lines 12-26). It would have been obvious to one of ordinary skill in the art at the time the invention to combine the teaching of Ensel with those of Ludwig as discussed above for the motivation of carrying out a process for creating an electronic bill or invoice (see Ensel, column 13, line 1-2).

With regard to claim 20 (currently amended): Ludwig in view of Ensel teaches the limitation of claim 19 as described above. Ludwig further teaches the limitation *wherein said particular billing information cannot be added to an invoice until approved by an authenticated second-entity-class user, wherein the approval of said particular billing information is accomplished by real-time interaction over the network with the authenticated second-entity-class user* (see at least paragraph 130, lines 1-4).

22. With regard to claim 22 (currently amended): Ludwig teaches the limitation of claim 15 as described above. Ludwig doesn't explicitly teach the limitation further comprising *enabling access to particular invoice information by at least one authenticated second-entity-class user only after posting of said particular invoice information, wherein the posting of said particular invoice information is accomplished by real-time interaction over the network with an authenticated first-entity-class user*. Ensel, however, makes this teaching (see at least column 13, lines 28-39; lines 46-47; lines 53-57; column 14, lines 30-33).). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Ensel with those of Ludwig as discussed above for the motivation of carrying out a process for creating an electronic bill or invoice (Ensel, column 13, line 1-2).

With regard to claim 24 (original): Ludwig teaches the limitation of claim 15 as described above. Ludwig doesn't explicitly teach the method wherein *interacting in real-time over the network with authenticated users to define at least one project, wherein each given project pertains to a specific client and specifies rules and conditions associated with the invoicing process carried out with respect to given project*. Ensel, however, discloses an enrollment database containing all information relevant to customers of the biller including billing rules and conditions (see at least column 10, lines 21-49). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the limitation above, as taught by Ludwig, with the system/method, as taught by Ensel, for the motivation of customizing invoices presented to its customers (see Ensel, column 11, lines 2-5).

With regard to claim 25 (original): Ludwig teaches the limitation of claim 24 as described above. Ludwig doesn't explicitly teach the method wherein *each given project includes at least one of a name, time period for the project, information pertaining to the recurring nature of the time period, information regarding time-based billing for the project, and an indication that billing entries associated with the given project can be added to an invoice without prior approval by an authenticated second-entity-class user*. Ensel, however, discloses an enrollment database containing

all information relevant to customers of the biller including billing rules and conditions (see at least column 10, lines 21-49). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the limitation above, as taught by Ludwig, with the system/method, as taught by Ensel, for the motivation of customizing invoices presented to its customers (see Ensel, column 11, lines 2-5).

With regard to claim 26 (new): Ludwig teaches *a method for electronic presentment of bills and invoices related to goods and/or services provided by at least first entity to at least one second entity comprising:*

- *authenticating a first-entity-class user that is associated with a first entity (see at least paragraph 31, lines 4-8);*
- *interacting in real-time over a network with the authenticated first-entity-class user to enter, create, maintain, and store in a database billing information pertaining to at least one second entity and to create, maintain and store in said database invoices related to said billing information and pertaining to said at least one second entity (see at least 106, lines 1-12);*
- *authenticating the at least one second-entity-class user (see at least paragraph 31, lines 4-8).*

Ludwig doesn't explicitly teach the limitation further comprising *interacting in real-time over the network with the authenticated first-entity-class user to invoke an invoice posting operation that grants access to a particular invoice stored in said database by at least one second-entity-class user; and, only after said invoice posting operation, interacting in real-time over the network with the authenticated at least one second-entity-class user to access said particular invoice stored in said database.*

Ensel, however, makes this teaching (see at least column 13, lines 28-39; lines 46-47; lines 53-57; column 14, lines 30-33). It would have been obvious to one of ordinary skill in the art at the time of

the invention to combine the teaching of Ensel with those of Ludwig as discussed above for the motivation of carrying out a process for creating an electronic bill or invoice (Ensel, column 13, line 1-2).

With regard to claim 28 (new): Ludwig teaches the limitation of claim 27 as described above. Ludwig doesn't explicitly teach the limitation further comprising *enabling access to particular billing information by at least one authenticated second-entity-class user in response to finalization of said particular billing information, wherein the finalization of said particular billing information is accomplished by interaction over the network with an authenticated first-entity-class user designated for such finalization*. Ensel, however, makes this teaching (see at least column 15, lines 12-26). It would have been obvious to one of ordinary skill in the art at the time the invention to combine the teaching of Ensel with those of Ludwig as discussed above for the motivation of carrying out a process for creating an electronic bill or invoice (see Ensel, column 13, line 1-2).

With regard to claim 29 (new): Ludwig in view of Ensel teaches the limitation of claim 28 as described above. Ludwig further teaches the limitation *wherein particular billing information for a project cannot be added to an invoice until approved by an authenticated second-entity-class user designated for such approval* (see at least paragraph 130, lines 1-4)

Claim 27 is rejected under U.S.C. 103(a) as being unpatentable over Ludwig et al., U.S. Pub 2003/0004874 ("Ludwig"), in view of Ensel et al., U.S. 6,493,685 ("Ensel"), and further in view of Yukie et al., U.S. 6,956,833 ("Yukie").

With regard to claim 27 (new): Ludwig in view of Ensel teaches the limitation of claim 26 as described above. Ludwig doesn't explicitly teach the limitation *wherein said billing information includes information regarding time-based billing for services carried out by a first entity as part of a project*

for a second entity. Yukie, however, makes this teaching (column 4, lines 5-15). It would have been obvious to one of ordinary skill in the art at the time the invention to combine the teaching of Yukie with those of Ludwig as discussed above for the motivation of billing the user for time-based access service (Yukie, column 4, lines 8-16).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Application/Control Number:
10/647,755
Art Unit: 3692

Page 16

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clifford Madamba whose telephone number is 571-270-1239. The examiner can normally be reached on Mon-Thu 7:30-5:00 EST Alternate Fridays. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi, can be reached at 571-272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Clifford Madamba
Patent Examiner
December 13, 2007

Kambiz Abdi
Supervisory Primary Examiner



KAMBIZ ABDI
SUPERVISORY PATENT EXAMINER